

REMARKS

Formal Matters

As an initial matter, to correct the typographical error in the PTO/SB/08 A & B form submitted with the Information Disclosure Statement filed March 5, 2004, Applicants submit a replacement PTO/SB/08 A & B form with this Amendment. Applicants point out to the Examiner that the replacement PTO/SB/08 A & B form corrects a typographical error in the listing of JP 2000-247489. A copy of JP 2000-247489 and an English language abstract were submitted with the Information Disclosure Statement filed March 5, 2004, and JP 2000-247489 was correctly identified in the text of the Information Disclosure Statement. Applicants respectfully request that the Examiner indicate that the JP 2000-247489 was considered by the Examiner.

The Examiner has objected to the drawings for several reasons.

First, the Examiner alleges that the features of claims 7 and 13, i.e., a device in which the image recording surface of the image recording material is accommodated in the cassette facing upward, are not shown. As such, Applicants have added new Figure 4. Figure 4 shows a conveying device in which the image recording surface of the image recording material in the cassette faces upward and is not rotated by the suction cups. Instead, the recording material remains in the same orientation. It is respectfully submitted that new Figure 4 does not include any new matter and is supported by claims 7 and 13 in combination with the first embodiment shown in, for example, Figure 1.

In addition, the Examiner has objected to Figs. 1 and 2, alleging that the reference numerals 15A, 15B, and 12A are not discussed in the specification. With respect to reference numerals 15A and 15B, Applicants have deleted these reference numerals from Fig. 1.

With respect to reference numeral 12A, Applicants have amended the text of the specification to refer to numeral 12A. Applicants respectfully submit that the amendment to the specification is not new matter at least because it is supported by original claim 1.

Finally, the Examiner has objected to claims 1-9, and has suggested that the phrase “at least one” be added to claim 1. In response, Applicants have amended claim 1 as suggested by the Examiner. Applicants respectfully notes that the scope of claim 1 is unchanged by this amendment.

Claims 1-15 are all of the pending claims. Claims 1, 10, 11, and 15 are independent claims.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 8 and 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants, however, do not re-write these claims in independent form, but instead submit herewith a Verified English Translation of the Japanese Priority Document and a Terminal Disclaimer.

Claim Rejections Under 35 U.S.C. § 102 and §103

Claims 1-7, 9-13, and 15 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kawamura et al. (US 6,729,237).

Amendment Under 37 C.F.R. § 1.111
U.S. Patent Appln. S.N.: 10/680,404
Sughrue Ref: Q77907

In order to overcome this rejection, Applicants submit herewith a Verified English translation of the priority document, Japanese Patent Application No. 2002-296059 (which was filed on October 9, 2002). Since Japanese Patent Application No. 2002-296059 was filed before Kawamura (which was filed on December 9, 2002), Applicants respectfully submit that Kawamura is not prior art under 35 U.S.C. § 102(e).

Obviousness-type Double Patenting Rejection

Claims 1-7, 9-13, and 15 are rejected under the judicially created doctrine of obviousness-type double patenting in view of Kawamura. In order this rejection, Applicants submit herewith a Terminal Disclaimer.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

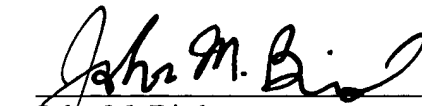
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23373

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Amendment Under 37 C.F.R. § 1.111
U.S. Patent Appln. S.N.: 10/680,404
Sughrue Ref: Q77907

AMENDMENTS TO THE DRAWINGS

The reference numerals 15A and 15B have been deleted from Fig. 1.

Fig. 2, which shows an alternative exemplary embodiment, has been added.

Attachment: One Replacement Sheet
One New Sheet